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Attorney for Debtors
JUDD BELEN LEYSON &
LORNA REYES LEYSON

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA

In re: Case No.: 10-51562-C-7
JUDD BELEN LEYSON & Mtn. Ctrl. No.: RAC-1
LORNA REYES LEYSON,
In Chapter 7

**DEBTORS' MOTION TO COMPEL
TRUSTEE TO ABANDON REAL
PROPERTY**

Debtor.

Date: October 18, 2011
Time: 9:30 a.m.
Court Room: 35
Department: C

TO: THE CHAPTER 7 TRUSTEE, J. MICHAEL HOPPER; THE UNITED STATES
TRUSTEE; ALL CREDITORS; AND TO ALL OTHER INTERESTED PARTIES:

Pursuant to 11 U.S.C. Section 554(b) and Federal Rule of Bankruptcy Procedure 6007(b),
JUDD BELEN LEYSON & LORNA REYES LEYSON, Debtors and Petitioners herein, by and
through their attorney, Richard Allaye Chan, Jr., hereby move the Court for an order requiring the
Trustee of the above-captioned case to abandon the estate's interest in real property located at **10118
Kuhn Ranch Way, Elk Grove, CA 95757** (here in after as "real property"). In support of the
motion, the Debtors respectfully represent as follows:

1 1. Petitioners are the Debtors in the above captioned bankruptcy case, having filed their
2 Petition for relief in Chapter 7 on November 30, 2010. Trustee J. Michael Hopper was duly
3 appointed Chapter 7 trustee.

4 2. Creditor, CITIMORTGAGE INC., the first deed of trust, had a secured interest in
5 said real property for \$392,184.00 at the time of the filing of Debtors' case in Chapter 7.
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7 3. Creditor, CHASE MANHATTAN MORTGAGE, the second deed of trust, had a
8 secured interest in said real property for \$93,951.00 at the time of the filing of Debtors' case in
9 Chapter 7.
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11 4. Debtors asserted that the collateral's value was \$249, 00.00 at the time of the filing
12 of their case in Chapter 7. This assertion is based upon a <http://www.zillow.com> pulled on
13 September 26, 2011 which now states the property is worth even less at \$234,400.00.

14 (a) The Zillow evaluation was pulled on September 26, 2011. A true and correct copy of the
15 Zillow summary is attached as Exhibit "A" and made part of this motion. Debtors assert that said
16 collateral is over encumbered by the two liens.
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1 5. 11 U.S.C. § 554(b) states that “On request of a party in interest and after notice and a
2 hearing, the court may order the trustee to abandon any property of the estate that is burdensome to
3 the estate or that is of inconsequential value and benefit to the estate.” Based on the Zillow value or
4 the current list price, the collateral is of inconsequential value and of no benefit to the estate. In fact,
5 the sale would not yield any funds to cover any Trustee administration costs.
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7 WHEREFORE, Debtors and Petitioners herein respectfully request that this Court enter an
8 order requiring the Trustee to abandon the estate’s interest in the collateral.
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11 ALLAYE CHAN LAW GROUP
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13 Dated: September 29, 2011
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/s/ Richard Allaye Chan, Jr.
Richard Allaye Chan, Jr.
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